

REMARKS

Claims 1-11 are all the claims pending in the present application. In summary, the Examiner maintains the previous rejections of claims 1-11. Specifically, claims 1, 3, and 4 remain rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Gloe (U.S. Patent Application Publication No. 2004/0083306). Claims 5, 6, and 8-10 remain rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Koodli et al. (U.S. Patent Application Publication No. 2004/0081122). Claim 2 remains rejected under 35 U.S.C. § 103 (a) as allegedly being unpatentable over Gloe in view of Uematsu (U.S. Patent Application Publication No. 2002/0075836). Finally, claims 7 and 11 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Koodli in view of Uematsu.

§ 102(e) Rejections (Gloe) - Claims 1, 3, and 4

Claims 1, 3, and 4 are rejected essentially based on the same reasons set forth in the previous Office Action, and the Examiner adds a few new arguments in the *Response to Arguments* section of the present Office Action.

With respect to independent claim 1, Applicants previously argued that Gloe does not disclose or suggest at least, “determining whether a collision of the IP address occurs using a DAD timer handler,” as recited in claim 1. *See page 5 of Office Action dated October 9, 2007.*

In response, the Examiner alleges:

Examiner respectfully disagrees. Applicant also concedes in the first paragraph on page 5 of the Remarks that Gloe’s timer is used to indicate delay between consecutive neighbor solicitations transmissions performed during duplicate address detection as stated in paragraph 154. If that is the case all the limitation is requiring some kind of timer to indicate a duplicate IP address has been detected. But the discussion regarding the delay is further elaborated in paragraph 182 in that it is introduced to alleviate different nodes starting up about the same time seeking same

address and if the timer expired it is certainly an indication of an IP address collision resulting from two nodes seeking the same duplicate IP address.

In response, Applicants submit that the Examiner utilizes impermissible hindsight reasoning in determining that if a timer expires, it is “certainly an indication of an IP address collision resulting from two nodes seeking the same duplicate IP address.” Applicants acknowledge that Gloe discusses a timer expiring, however, such expiration of a timer does not necessarily indicate an IP address collision. A timer can expire if the timer has not been set at an appropriate temporal length or if other factors are at issue. Nowhere does Gloe support the Examiner’s conclusion that the expiration of a timer indicates an IP address collision. Therefore, at least based on the foregoing as well as the previously submitted arguments, Applicants submit that Gloe does not anticipate claim 1.

Applicants submit that dependent claims 3 and 4 are patentable at least by virtue of their respective dependencies from independent claim 1.

§ 102(e) Rejections (Koodli) - Claims 5, 6, and 8-10

Claims 5, 6, and 8-10 are rejected essentially based on the same reasons set forth in the previous Office Action, and the Examiner adds new arguments in the *Response to Arguments* section of the Office Action.

With respect to independent claim 5, Applicants previously argued that Koodli does not disclose or suggest at least, “(e) sending the advisory IP address to the terminal,” as recited in claim 5. *See page 6 of October 9th Office Action.* In response, the Examiner alleges:

Examiner respectfully disagrees. First of all the limitation “(e) sending the advisory IP address to the terminal” is preceded by limitation (d) that requires the advisory IP address only existing if the temporary IP address is a duplicate. This is also the case with

Koodli's teachings as shown in Figure 3 block 316. The advisory IP address is selected as a new address in Figure 3, block 316 when the temporary IP address is determined to be a duplicate adequately meeting the limitation (d) of claim 5. Clearly Examiner cited Koodli's paragraph 56 to teach the alleged missing limitation "(e) sending the advisory IP address to the terminal". Koodli's paragraph 56 redirects the reader to Figure 3 blocks 310 to 312 in which clearly Koodli shows that the Link Frame Type is set with the new IP address (i.e., Advisory IP address) and normal transmission proceeds using the new IP address as shown in Figure 3, block 314 and further confirmed in Koodli's paragraph 58.

In response, Applicants submit that the operations in Figure 3 appear to only discuss confirming a prospective destination address of a packet. After the destination address is confirmed, a packet can be transmitted to the confirmed address (see, e.g., operation 314 in Figure 3 of Koodli). However, as previously argued, there is no teaching or suggestion that the normal address itself, which allegedly corresponds to the claimed advisory address, is sent to a terminal.

Applicants submit that dependent claims 6 and 8-10 are patentable at least by virtue of their respective dependencies from independent claim 5.

§ 103(a) Rejections (Gloe/Uematsu) - Claim 2

Applicants submit that claim 2 is patentable at least by virtue of its dependency from independent claim 1. Uematsu does not make up for the deficiencies of Gloe.

§ 103(a) Rejections (Koodli/Uematsu) - Claim 7 and 11

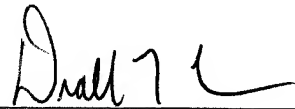
Applicants submit that claims 7 and 11 are patentable at least by virtue of their dependency from independent claim 5. Uematsu does not make up for the deficiencies of Koodli.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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